

Remarks

The present application has been reviewed in light of the Office Action dated April 5, 2011. Applicant thanks the Examiner for the careful review of the present application.

By the foregoing amendments, claims 3 and 5 were amended, claims 9, 12, 14, and 15 canceled without prejudice, and claims 18-20 newly introduced. No new matter is added by the amendments, and supports for the amendments can be found from throughout the specification, drawings, and claims as originally filed. For example, supports for amended claim 5 can be found from FIG. 10 of the drawings originally filed, together with associated descriptions thereof. For another example, supports for new claims 18-20 can be found from FIGS. 8-10 of the drawings originally filed, together with associated descriptions thereof.

Reconsideration of the rejections is respectfully requested in view of the amendments and following remarks.

Objection to Specification, and Claim Rejections under 35 USC §112

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter appeared in the applicant's previous Amendment, in particular, with respect to the limitation "adapted to *independently engage* an outer surface of a container being covered when in the second position, and wherein said container cover is *sized and shaped to fit a plurality of differently sized and shaped containers*." (Emphases added)

Without conceding the propriety of this objection, Applicant opted to amend the claims in a manner presenting the subject matter of the invention more clearly and distinctly. Reconsideration is respectfully requested in view of the amendments.

Claims 3, 5, 9, 12, 14, and 15 are rejected under 35 U.S.C. 112, first paragraph (the written description requirement and the enablement requirement). In particular, the Office notes that these requirements are not met due to the above-identified claimed limitation introduced by the applicant's previous Amendment (namely, "adapted to *independently engage* an outer surface of a container being covered when in the second position, and wherein said container cover is *sized and shaped to fit a plurality of differently sized and shaped containers*"). Office Action, items #3 and #4.

Without conceding the propriety of these rejections, Applicant opted to amend the claims in a manner presenting the subject matter of the invention more clearly while also satisfying the requirements under 35 U.S.C. 112, first paragraph. Reconsideration is respectfully requested in view of the amendments.

Claims Rejections under 35 USC §102(b)

Claims 3, 5, 9, 12, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by McMann (US 1,857,853).

By the foregoing amendments, the claims were amended to more distinctly claim the subject matter of the invention and also to better highlight novel aspects of the invention over the references of record.

Accordingly, as specifically recited in independent claim 3, the amended **claims 3 and 5** each recites the following features:

- (a) a cover plate having a front surface and a rear surface, the cover plate for covering an opening of a container;
- (b) a closing member having two fixing portions, a first fixing portion fixed to the cover plate along a peripheral portion of said rear surface of said

- cover plate and a second fixing portion fixed to the cover plate along a peripheral portion of said front surface of the cover plate;
- (c) wherein said closing member includes an annular contact portion integrally formed with said two fixing portions of flexible and resilient material, and extending in a direction along, and essentially in parallel to, said front surface of the cover plate;
 - (d) wherein said annular contact portion includes an end defining a through opening and having at least one protrusion extending from said end and configured to engage an outer surface of the container; and
 - (e) wherein said annular contact portion of the container cover is adaptable to turn inside out to tightly grasp or cling onto a side surface of the container by elastic force of the flexible and resilient annular contact portion without said at least one protrusion of the annular contact portion engaging with a shoulder or flange of the container for catch. (Emphases added)

Applicant respectfully submits that the reference cited, namely, McMann (US 1,857,853), fails to disclose or teach, among others, at least the above identified features (c) and (e) of claims 3 and 5, and the recited combination thereof.

Reconsideration is respectfully requested in view of the amendments and foregoing remarks.

As specifically recited in independent claim 18, newly introduced **claims 18-20** each recites the following features:

- (i) a container body having an opening defined at an upper area of the container body;

- (ii) a container cover including: (a) a cover member having a front surface and a rear surface, the cover member for covering said opening of the container body; and (b) a closing member having two fixing portions, a first fixing portion fixed to the cover member along a peripheral portion of said rear surface of said cover member, and a second fixing portion fixed to the cover member along a peripheral portion of said front surface of the cover member;
- (iii) wherein said closing member includes an annular contact portion integrally formed with said two fixing portions of flexible and resilient material, and extending in a direction along said front surface of the cover member;
- (iv) wherein said annular contact portion includes an end defining a through opening;
- (v) wherein said annular contact portion of the container cover is **adaptable to turn inside out to tightly grasp or cling onto a side surface of the container body by elastic force of the flexible and resilient annular contact portion**; and
- (vi) wherein the cover member has a round formed at a side end surface of the cover member along its lower peripheral portion, wherein the round of the cover member is shaped to **engage with an upper inner surface in the opening of the container body** for covering, and the round of the cover member is covered with said first fixing portion of the closing member such that **the round area of the cover member, covered with the flexible and resilient first fixing portion, provides a resiliently sealed contact against the upper inner surface in the opening of the container body.** (Emphases added)

Applicant respectfully submits that the reference cited, namely, McMann (US 1,857,853), fails to disclose or teach, among others, at least the above identified features (v) and (vi) of claims 18-20, and the recited combination thereof.

Reconsideration is respectfully requested in view of the amendments and foregoing remarks.

In view of the amendments and foregoing remarks, Applicant respectfully submits that all the pending claims, namely claims 3, 5, and 18-20 as amended, are in condition for allowance. Favorable reconsideration and early notice to that effect is earnestly solicited.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,



July 29, 2011

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